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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,368	09/11/2003	Brian N. Belanger	63178.000006 GE04826	3018
26111 7590 01/22/2007 STERNE, KESSLER, GOLDSTEIN & FOX PLLC 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER JOHNSON, CARLTON	
			ART UNIT 2136	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	01/22/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/22/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

fadkt@skgf.com

**Office Action Summary**

Application No.

10/659,368

Applicant(s)

BELANGER ET AL.

Examiner

Carlton Johnson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12-9-2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responding to application papers filed **9-11-2003**.
2. Claims **1 - 37** are pending. Claims **1, 7, 15, 16, 23, 24, 29, 30** are independent.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(b) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims **1 - 4, 7 - 10, 14, 16 - 19, 24 - 26, 29 - 33, 37** are rejected under 35 U.S.C. 102(b) as being anticipated by **Timson et al.** (US Patent No. **6,041,412**).

**Regarding Claims 1, 7, 24, 29**, Timson discloses a method for providing an access candidate access to secured electronic data, the method comprising the steps of:

- a) submitting a request for access candidate access to the secured electronic data to a controller associated with the secured electronic data; (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing (i.e request submitted and processed))
- b) comparing, at the controller, one or more attributes of the access candidate with one or more access requirements associated with the secured electronic data;

(see Timson col. 2, lines 50-59: attributes; col. 3, lines 11-16: determine (i.e. comparing), enable access)

- c) submitting, by the controller, a request for authorization to a resolution authority when the comparison indicates that access by the access candidate is prohibited without authorization; (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing, resolution authority; col. 2, lines 50-59: attributes; col. 4, lines 7-11: access determination required for access (i.e. prohibited without authorization)) and ;
- d) granting the access candidate access to the secured electronic data when the resolution authority provides authorization for such access. (see Timson col. 4, lines 7-11: access enabled (i.e. granted))

**Regarding Claims 2, 8, 17, 25, 31**, Timson discloses the method as in Claims 1, 8, 16, 24, 30, further comprising the step of granting the access candidate access to the secured electronic data when the comparison indicates that access by the access candidate is not prohibited. (see Timson col. 4, lines 7-11: access enabled (i.e. granted), not prohibited)

**Regarding Claims 3, 9, 18, 32**, Timson discloses the method as in Claims 2, 7, 16, 30, further comprising the step of denying the access candidate access to the secured electronic data when the resolution authority denies authorization. (see Timson col. 3, lines 28-32; col. 4, lines 11-15: access denied)

**Regarding Claims 4, 10, 19, 26, 33,** Timson discloses the method as in Claims 1, 7, 16, 24, 30, wherein one or more access requirements are represented as part of a graphical display associated with the access candidate and accessed for display to the controller via a network. (see Timson col. 5, lines 26-35: display capability for user interface information)

**Regarding Claims 14, 37,** Timson discloses the method as in Claims 7, 30, wherein at least one of the request for access to the first security level and the request for access to the second security level is submitted by one or more sponsors. (see Timson col. 14, lines 13-20: request, 1st level security; col. 14, lines 25-35: request processing, 2nd level security)

**Regarding Claim 16,** Timson discloses a system for providing an access candidate access to secured electronic data, the system comprising:

- a) storage adapted to receive and store the electronic data; (see Timson col. 18, lines 9-12; col. 18, lines 18-21: storage capability for accessible data)
- b) one or more resources adapted to access and manipulate the electronic data; (see Timson col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources to access and manipulate data)
- c) means for evaluating a request for access candidate access to the one or more resources the evaluation of the request including a first comparison of one or

more attributes of the access candidate with one or more access requirements associated with the one or more resources; (see Timson col. 5, lines 5-13: software means; col. 2, lines 50-59: attributes; col. 3, lines 34-40; col. 3, lines 57-64: request processing, evaluation to enable access)

- d) means for granting the access candidate access to the one or more resources when the first comparison indicates that access is not prohibited; (see Timson col. 5, lines 5-13: software means; col. 4, lines 7-11: access enabled (i.e. granted))
- e) means for evaluating a request for access candidate access to the electronic data by the one or more resources, the evaluation of the request including a second comparison of one or more attributes of the access candidate with one or more access requirements associated with the electronic data; (see Timson col. 5, lines 5-13: software means; col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources to access and manipulate data)
- f) means for submitting a request for authorization to a resolution authority when the second comparison indicates that access to the electronic data by the access candidate is prohibited without authorization; (see Timson col. 5, lines 5-13: software means; col. 3, lines 34-40; col. 3, lines 57-64: request processing, must be authorized to access data) and
- g) means for granting the access candidate access to the electronic data using the one or more resources when the resolution authority provides authorization. (see

Timson col. 5, lines 5-13: software means; col. 3, lines 28-32; col. 4, lines 11-15:  
access enabled (i.e. granted))

**Regarding Claim 30**, Timson discloses in a data security system having a first security level securing one or more resources for manipulating electronic data and a second security level securing access to the electronic data by the one or more resources, a method for determining an access candidate's access to the electronic data, the method comprising the steps of:

- a) submitting a request for access to the first security level; (see Timson col. 3, lines 34-40: request processing (i.e. submitted and processed))
- b) determining the access candidate's access to the first security level based on a comparison of one or more attribute of the access candidate with one or more access requirements associated with the first security level; (see Timson col. 14, lines 13-20: 1st security level processing)
- c) submitting a request for access to the second security level; (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing (i.e. submitted and processed)) and
- d) submitting a request for authorization to a resolution authority when a comparison of one or more attributes of the access candidate with one or more access requirements associated with the second security level indicates that access to the second security level by the access candidate is prohibited without authorization and determining by the resolution authority the access candidate's

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access to the second security level. (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing; col. 14, lines 25-35: 2nd security level processing)

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims **5, 6, 11 - 13, 15, 20 - 23, 27, 28, 34 - 36** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Timson** in view of **Orsini et al.** (US Patent No. **20040049687**).

**Regarding Claims 5, 11, 13, 27**, Timson discloses the method as in Claims 1, 7, 24, wherein one or more access requirements. (see Timson col. 2, lines 50-59; col. 2, lines 41-49: attributes, permissions; col. 3, lines 34-40: required to access resources) Timson does not specifically disclose one or more access requirements related to at least one of a citizenship status of the access candidate and a current location of the access candidate. However, Orsini discloses wherein one or more access requirements are related to at least one of a citizenship status of the access candidate and a current location of the access candidate. (see Orsini paragraph [0013], lines 1-3;



paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

It would have been obvious to one of ordinary skill in the art to modify Timson as taught by Orsini to enable one or more access requirements related to at least one of a citizenship status of the access candidate and a current location of the access candidate. One of ordinary skill in the art would have been motivated to employ the teachings of Orsini in order to enable a relatively fast, secure, and efficient authentication of data streams. (see Orsini paragraph [0012], lines 1-3: "*... Based on the foregoing, a need exists to provide a cryptographic system whose security is user-independent while still supporting mobile users. ...*"; paragraph [0013], lines 1-3: "*... Accordingly, one aspect of the present invention is to provide a method for securing virtually any type of data from unauthorized access or use. ...*")

**Regarding Claims 6, 12, 22, 28, 36**, Timson discloses the method as in Claims 5, 11, 16, 27, 30, wherein one or more attributes of the access candidate. (see Timson col. 2, lines 50-59: permissions, attributes for requestor (i.e. access candidate); col. 3, lines 34-40: required to access resources) Timson does not specifically disclose one or more attributes relate to at least one of a citizenship status of the access candidate and a current location of the access candidate. However, Orsini discloses wherein one or more attributes of the access candidate relate to at least one of a citizenship status of the access candidate and a current location of the access candidate. (see Orsini

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paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

It would have been obvious to one of ordinary skill in the art to modify Timson as taught by Orsini to enable one or more attributes related to at least one of a citizenship status of the access candidate and a current location of the access candidate. One of ordinary skill in the art would have been motivated to employ the teachings of Orsini in order to enable a relatively fast, secure, and efficient authentication of data streams.

(see Orsini paragraph [0012], lines 1-3; paragraph [0013], lines 1-3)

**Regarding Claim 15**, Timson discloses in a data security system having a first security level securing one or more resources for manipulating electronic data and a second security level securing the electronic data, a method for providing an access candidate access to the electronic data, the method comprising the steps of:

- a) identifying a plurality of data subsets of the electronic data; (see Timson col. 6 lines 43-46; multiple data sets and data records (i.e. a plurality of datasets))
- d) granting the access candidate access to the first security level based at least in part on an evaluation of the request for access to the first level; ((see Timson col. 14, lines 13-20: request, 1st level security)
- g) granting the access candidate access to the requested at least one data subset at the second security level when the resolution authority provides authorization upon receipt of the request for authorization. (see Timson col. 14, lines 25-35: request, 2nd level security; col. 4, lines 7-11: access enabled (i.e. granted))

Timson discloses wherein a request (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing; col. 2, lines 56-59; col. 17, lines 4-11: country attribute), and determining, for each data subset, at least one data class associated with the data subset (see Timson col. 2, lines 50-59: one data class or attributes of a class), and submitting, by a first sponsor of the access candidate, a request for access to the first security level (see Timson col. 3, lines 34-40: request processing; col. 2, lines 56-59; col. 17, lines 4-11: country attribute, requestor attributes; col. 14, lines 13-20: request, 1st level security), and a second sponsor of the access candidate, a request for access to at least one data subset at the second security level when access to the first security level has been granted (see Timson col. 14, lines 25-35: request, 2nd level security), and a request for authorization to a resolution authority when a comparison of the at least one data class of the requested data subset indicates that access to a requested data subset at the second level by the access candidate is prohibited without authorization. (see Timson col. 3, lines 34-40: permissions required to access data) Timson does not specifically disclose an indication of a citizenship status of the access candidate, an indication of a current location of the access candidate, and an indication of an existence of a data access agreement with the access candidate.

However, Orsini discloses:

- b) at least a citizenship requirement and a location requirement for access to data associated with the data class; (see Orsini paragraph [0013], lines 1-3;

paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

- c) an indication of a citizenship status of the access candidate, an indication of a current location of the access candidate, and an indication of an existence of a data access agreement with the access candidate; (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information, citizenship information)
- e) an indication of a citizenship status of the access candidate and an indication of a current location of the access candidate; (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)
- f) citizenship status and the current location of the access candidate with the respective citizenship requirement and location requirement; (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

It would have been obvious to one of ordinary skill in the art to modify Timson as taught by Orsini to enable the request including an indication of a citizenship status of the access candidate, an indication of a current location of the access candidate, and an indication of an existence of a data access agreement with the access candidate. One of ordinary skill in the art would have been motivated to employ the teachings of Orsini in order to enable a relatively fast, secure, and

efficient authentication of data streams. (see Orsini paragraph [0012], lines 1-3; paragraph [0013], lines 1-3)

**Regarding Claim 20**, Timson discloses the system as in Claim 16, wherein one or more access requirements associated with the one or more resources related. (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing; col. 2, lines 56-59; col. 17, lines 4-11: country information, attributes) Timson does not specifically disclose at least one of: a valid data access agreement with a potential access candidate; a current location of the potential access candidate; and a citizenship status of the potential access candidate. However, Orsini discloses wherein at least one of: a valid data access agreement with a potential access candidate; a current location of the potential access candidate; and a citizenship status of the potential access candidate. (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

It would have been obvious to one of ordinary skill in the art to modify Timson as taught by Orsini to enable at least one of: a valid data access agreement with a potential access candidate; a current location of the potential access candidate; and a citizenship status of the potential access candidate. One of ordinary skill in the art would have been motivated to employ the teachings of Orsini in order to enable a relatively fast, secure, and efficient authentication of data streams. (see Orsini paragraph [0012], lines 1-3; paragraph [0013], lines 1-3)

**Regarding Claims 21, 34, 35,** Timson discloses the system as in Claims 20, 30, 34, wherein one or more access candidate attributes. (see Timson col. 2, lines 50-56: attributes; col. 2, lines 56-59; col. 17, lines 4-11: country attribute, resource access) Timson does not specifically disclose at least one of: an indication of an existence of a data access agreement with the access candidate; a current location of the access candidate; and a citizenship status of the access candidate. However, Orsini discloses wherein at least one of: an indication an existence of a data access agreement with the access candidate; a current location of the access candidate; and a citizenship status of the access candidate. (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

It would have been obvious to one of ordinary skill in the art to modify Timson as taught by Orsini to enable at least one of: an indication an existence of a data access agreement with the access candidate; a current location of the access candidate; and a citizenship status of the access candidate. One of ordinary skill in the art would have been motivated to employ the teachings of Orsini in order to enable a relatively fast, secure, and efficient authentication of data streams. (see Orsini paragraph [0012], lines 1-3; paragraph [0013], lines 1-3)

**Regarding Claim 23,** Timson discloses a system for providing an access candidate access to secured electronic data, the electronic data being associated with one or more data classes, each data class identifying at least a citizenship requirement and a

location requirement for access to data associated with the data class, the system comprising:

- a) storage adapted to receive and store the electronic data; (see Timson col. 18, lines 9-12; col. 18, lines 18-21: storage capability, data, information)
- b) one or more resources adapted to process and manipulate the electronic data; (see Timson col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources to process and manipulate data)
- e) one or more resolution authorities adapted to authorize access to one or more portions of the electronic data when a comparison performed by a corresponding data access controller indicates access is prohibited without authorization; (see Timson col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources (i.e. resolution authorities) to control access and manipulate data; col. 3, lines 34-40: authorization required to access data) and
- f) a data access module adapted to: evaluate a request for access to one or more portions of the electronic data by the one or more resources to identify one or more data access controllers corresponding to the one or more portions of the electronic data; (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing; col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources (i.e. controllers) to enable (i.e. grant) access to data)) and
- g) forward the request for access to the one or more identified data access controllers for evaluation as to whether to grant the access candidate access to the corresponding one or more portions of the electronic data. (see Timson col.

3, lines 34-40; col. 3, lines 57-64: request processing (i.e. submit, forward request for processing); col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources to enable (i.e. grant) control access to data))

Timson discloses wherein one or more data access controllers adapted to grant access to a corresponding portion of the electronic data based at least in part on a comparison, and associated with one or more data classes of the corresponding portion of the electronic data. (see Timson col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources to access and manipulate data; col. 4, lines 7-11: access enabled (i.e. granted)) Timson does not specifically disclose a citizenship status, a current location of the access candidate and an existence of a data access agreement with a citizenship requirement, location requirement and data access agreement requirement.

However, Orsini discloses:

- c) a citizenship status and a current location of the access candidate and an existence of a data access agreement with a citizenship requirement, location requirement and data access agreement requirement; (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)
- d) a citizenship status and a current location of the access candidate with a citizenship requirement and a location requirement; (see Orsini paragraph



[0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

It would have been obvious to one of ordinary skill in the art to modify Timson as taught by Orsini to enable at least one of: an indication an existence of a data access agreement with the access candidate; a current location of the access candidate; and a citizenship status of the access candidate. One of ordinary skill in the art would have been motivated to employ the teachings of Orsini in order to enable a relatively fast, secure, and efficient authentication of data streams. (see Orsini paragraph [0012], lines 1-3; paragraph [0013], lines 1-3)

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlton Johnson whose telephone number is 571-270-1032. The examiner can normally be reached Monday through Friday from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nassar Moazzami, can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Carlton Johnson  
January 12, 2007

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SUPERVISORY PATENT EXAMINER  
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1/16/07